IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Douglas E. Clark, Stephen D. Opie, Bert Appleton Spiller & David E. Miller

Application No.:

10/025,211

Group: 3728

Filed:

December 19, 2001

Examiner: Not Assigned

PATENT APPLICATION

Docket No.: 3156.1000-002

MAR 2 6 2002

HOE CONSTRUCTION

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box

2327, Arlington, VA 22202 on 03/21/02

Signature

Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts Assistant Commissioner for Patents P.O. Box 2327 Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated January 25, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

[X] EXECUTED DECLARATION FOR PATENT APPLICATION

(Separate transmittal letter and postcard not required)

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- [] GRANTED BY INVENTOR(S)
- [] GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)

(Separate transmittal letter and postcard not required)

PRELIMINARY AMENDMENT

(Separate transmittal letter and postcard not required)

[X] FILING FEE - with Fee Transmittal for Patent Applications in duplicate

Fee calculations based on:

- [X] Claims as originally filed
- [] Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

(Separate transmittal letter and postcard not required)

[X] SURCHARGE - surcharge fee of \$130

(Separate transmittal letter and postcard not required)

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| | [] | Was filed on | [] | | | | | |
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| | | | Re | spectfully | submitted, | | | |
| | | | HA | MILTON | I, BRQOK, SM | ITH & REXX | JOLDS, P.C. | |

By Darrell L. Wong
Registration No.: 36,725
Tel.: (978) 341-0036
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133 Date: 3/21/2002



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PLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/025.211

12/19/2001

Douglas E. Clark

3156.1000-002

CONFIRMATION NO. 5174

021005 HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133 CONCORD, MA 01742-9133



Date Mailed: 01/25/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity, If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1440.
 - \$684 for 38 total claims over 20.
 - \$756 for 9 independent claims over 3.
- The oath or declaration is missing.
 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

• The balance due by applicant is \$ 2310.

A copy of this notice MUST be returned with the reply.

Customer Service Center Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

HAMILTON, BROOK, SMITH & REYOLDS, P.C.

實在 TRANSMITTAL FOR ATENT APPLICATIONS

| Attorney Docket Number | 3156.1000-002 | | | |
|------------------------|------------------|--|--|--|
| Application Number | 10/025,211 | | | |
| First Named Inventor | Douglas E. Clark | | | |

CLAIM CALCULATION (includes any preliminary amendment)

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | | | (5) CALCULATIONS | |
|--------------------------|---|--|---------------------|--------------------------------------|----|------------------|--|
| | TOTAL CLAIMS (37 CFR 1.16(c) or (j)) | 58 - 20* = | 38 | x \$ 18 = | \$ | 684 | |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i)) | 12 - 3**= | 9 | x \$84 = | \$ | 756 | |
| | MULTIPLE DEPENDENT O | \$ | | | | | |
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| | | \$ | 130 | | | | |
| | | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | | | | | |
| | | \$ | | | | | |
| | * Reissue claims in excess of ** Reissue independent claims | \$ | 2310 | | | | |

| 1. | Sma | ll entity statu | s: | | | | | |
|----|-----|-----------------|---|--|--|--|--|--|
| | | a. [] | A small entity statement is enclosed. | | | | | |
| | | b. [] | A small entity statement was filed in the prior non-provisional application and such status is still proper and desired. | | | | | |
| | | c. [] | Is no longer claimed. | | | | | |
| 2. | [X] | 37 CFR 1.1 | A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required unde 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes. | | | | | |
| 3. | [X] | A check is | enclosed for \$2310. [] Please charge \$[] to Deposit Account No. 08-0380. | | | | | |
| 4. | [] | Other: | | | | | | |
| | | | | | | | | |
| | Si | ignature | Dell (Vy Date 3/21/2002 | | | | | |

Darrell L. Wong

Reg. Number

36,725

Submitted by Typed or Printed Name